

HOUSE BILL 904

D3

0lr1484

By: **Delegate Howard**

Introduced and read first time: February 10, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions – Transmission of Altered Electronic Mail**

3 FOR the purpose of providing that a person who receives a communication through
4 electronic mail and, after altering the communication, transmits the
5 communication through electronic mail to a third party with the intent to
6 defame, defraud, or otherwise harm the author of the communication is liable to
7 the author in a civil action for certain damages; providing that a person entitled
8 to bring an action under this Act may recover certain damages; authorizing a
9 court to award reasonable attorney’s fees to a person who is awarded damages
10 under this Act; and generally relating to civil actions and electronic mail.

11 BY adding to

12 Article – Courts and Judicial Proceedings

13 Section 13–701 and 13–702 to be under the new subtitle “Subtitle 7. Civil
14 Liability – Transmission of Altered Electronic Mail”

15 Annotated Code of Maryland

16 (2006 Replacement Volume and 2009 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Courts and Judicial Proceedings**

20 **SUBTITLE 7. CIVIL LIABILITY – TRANSMISSION OF ALTERED ELECTRONIC**
21 **MAIL.**

22 **13–701.**

23 **A PERSON WHO RECEIVES A COMMUNICATION THROUGH ELECTRONIC**
24 **MAIL AND, AFTER ALTERING THE COMMUNICATION, TRANSMITS THE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 COMMUNICATION THROUGH ELECTRONIC MAIL TO A THIRD PARTY WITH THE
2 INTENT TO DEFRAUD, DEFAME, OR OTHERWISE HARM THE AUTHOR OF THE
3 COMMUNICATION IS LIABLE TO THE AUTHOR FOR DAMAGES IN A CIVIL ACTION
4 AS PROVIDED IN THIS SUBTITLE.

5 **13-702.**

6 (A) A PERSON ENTITLED TO BRING AN ACTION UNDER THIS SUBTITLE
7 MAY RECOVER ECONOMIC DAMAGES AND ANY OTHER PECUNIARY LOSS
8 SUSTAINED BY THE PERSON THAT WERE PROXIMATELY CAUSED BY THE
9 TRANSMISSION OF THE ALTERED ELECTRONIC MAIL.

10 (B) IF A PERSON IS AWARDED DAMAGES UNDER THIS SUBTITLE, THE
11 COURT MAY ALSO AWARD REASONABLE ATTORNEY'S FEES.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2010.